

Message Text

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ACTION EA-10

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SUBJ: HARIMAN SIREGAR TRIAL--PROSECUTOR DEMANDS 12 YEAR SENTENCE

REF: A. JAKARTA 12792 B. JAKARTA 13199

BEGIN SUMMARY: PROSECUTION HAS DEMANDED 12 YEAR SENTENCE FOR SIREGAR BASED ON VIOLATIONS OF 1963 DECREE ON SUBVERSIVE ACTIVITIES. COUP ATTEMPT CHARGE NOT PURSUED. REQUESTED SENTENCE IS CLOSE TO WIDELY-RUMORED 5-10 YEAR FIGURE. DEFENSE WILL PRESENT SUMMATION NOVEMBER 18, AMID INCREASED POLITICAL CURIOSITY ABOUT TRIAL TRIGGERED BY NEWLY-ANNOUNCED APPOINTMENT OF CHIEF DEFENSE ATTORNEY TASRIF AS PRESIDENT SUHARTO'S ATTORNEY IN SUIT AGAINST MURTOPO-CONNECTED MAGAZINE OVER STORY RE SUHARTO'S ROYAL ANCESTRY. END SUMMARY. END LIMITED OFFICIAL USE

BEGIN UNCLASSIFIED

1. JAKARTA PRESS NOV 5 REPORTS THAT IN THREE-HOUR PRESENTATION AT 49TH SESSION OF SIREGAR TRIAL NOV 4, CHIEF PROSECUTOR ROMPAS DEMANDED 12-YEAR SENTENCE FOR SIREGAR ON PRIMARY CHARGE, SUBVERSIVE ACTIVITIES UNDER 1963
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SECURITY DECREE. ROMPAS ARGUED THAT, SINCE PRIMARY CHARGE

PROVEN, ALTERNATE CHARGE OF ATTEMPTED COUP NEED NOT BE CONSIDERED. BULK OF ROMPAS STATEMENT DEVOTED TO REVIEW OF EVIDENCE SUBMITTED THAT SIREGAR GUILTY UNDER ALL FOUR SUBSECTIONS OF FIRST OPERATIVE SECTION OF 1963 DECREE: 1) UNDERMINING IDEOLOGY AND POLICY OF STATE (PRINCIPALLY THROUGH OCT 24 STUDENT PETITION); 2) UNDERMINING AUTHORITY OF GOVERNMENT (THROUGH STATEMENTS ABOUT NEED FOR REFORM, DESIRABILITY OF STUDENT ACTION, AND DANGER OF MILITARY COUP); 3) CAUSING UNREST IN SOCIETY (THROUGH SAME ACTIONS AS NO 2); AND 4) CAUSING INTERRUPTION OF ECONOMY (THROUGH JANUARY 15 RIOTS). ROMPAS SAID SIREGAR MANIPULATED STUDENT MOVEMENT THROUGH ABUSE OF ACADEMIC FREEDOM AND DOCTRINE OF SOCIAL CONTROL BY STUDENTS IN ORDER TO ACHIEVE POLITICAL ENDS. ROMPAS SAID POLITICAL BACKGROUND OF SIREGAR ACTIONS WAS EFFORT BY "CERTAIN" POLITICAL FIGURES, INTELLECTUALS, STUDENTS, YOUTH AND PRESS ELEMENTS TO USE ISSUES OF CORRUPTION, FOREIGN CAPITAL, PRESIDENTIAL ASSISTANTS, ETC. TO OPPOSE GOVERNMENT POLICY AND FORCE THEIR OWN VIEWS ON GOI.

2. PROSECUTOR STATED THAT WHILE SIREGAR'S YOUTH AND LACK OF PREVIOUS ARRESTS WERE EXTENUATING FACTORS, HIS COURTROOM CONDUCT, LACK OF REGRET AND EFFORTS TO PASS RESPONSIBILITY TO OTHERS COMPOUNDED HIS CULPABILITY. SIREGAR REPORTEDLY LAUGHED AT CONCLUSION OF SESSION AND LEFT COURTROOM SMILING, ACCORDING TO PRESS "AS THOUGH NOTHING HAD HAPPENED." TRIAL RESUME NOV 18 TO HEAR SUMMATION STATEMENTS FROM SIREGAR AND HIS DEFENSE COUNSELS.

3. PREVIOUS COURT SESSION (48TH) HELD OCT 23, DEVOTED TO SUBMISSION OF ADDITIONAL DOCUMENTARY EVIDENCE (PRINCIPALLY PRESS CLIPPINGS AND GOVERNMENT STATEMENTS) CONCERNING JANUARY 15 RIOTS AND PRE-JANUARY STUDENT ACTIVITIES, AS WELL AS BRIEF FINAL QUESTIONING OF SIREGAR BY JUDGES.
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4. COMMENT: REQUESTED 12-YEAR SENTENCE FAR LESS THAN POSSIBLE MAXIMUM PENALTY (DEATH) UNDER 1963 DECREE, AND REASONABLY CLOSE TO WIDESPREAD SPECULATION THAT SIREGAR WILL RECEIVE FIVE TO TEN YEAR SENTENCE. PROSECUTION
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ARGUMENT THAT COUP CHARGE NEED NOT BE CONSIDERED BECAUSE SUBVERSION CHARGE ADEQUATELY PROVEN WILL NOT BE TAKEN SERIOUSLY, IN VIEW OF RELATIVE INCONCLUSIVENESS OF PROSECUTION CASE AS PRESENTED DURING TRIAL. PROSECUTION SUMMATION RELIED HEAVILY ON TESTIMONY BY ANTI-SIREGAR FACTION STUDENTS TO SUPPORT CLAIM THAT SIREGAR MADE CRUCIAL ANTI-GOVERNMENT STATEMENTS, AND IN DESCRIBING ALLEGED POLITICAL CONNECTIONS OF SIREGAR ACTIVITIES

CITED NEITHER SPECIFICS NOR EVIDENCE SUBMITTED TO THIS
EFFECT IN TRIAL.

5. ADDITIONAL ELEMENT OF CURIOSITY INJECTED INTO
POLITICAL ATMOSPHERE OF TRIAL BY APPOINTMENT OF CHIEF
SIREGAR DEFENSE ATTORNEY TASRIF AS ATTORNEY FOR SUHARTO
FAMILY IN SUIT AGAINST PUBLISHER OF JAKARTA MAGAZINE "POP"
IN CONNECTION WITH PUBLICATION OF STORY CONCERNING
SUHARTO'S ALLEGED ROYAL ANCESTRY (REF B). "POP" CONNECTIONS
WITH ALI MURTOPO'S OPSUS HAVE RECEIVED WIDE PUBLICITY.
IN LIGHT OF TASRIF'S EFFORTS TO EXPOSE OPSUS ROLE DURING
SIREGAR TRIAL, PRESIDENT'S CHOICE OF TASRIF FOR "POP"
TRIAL BOUND TO RAISE QUESTIONS AS TO PRESIDENT'S VIEWS ON
OPSUS ROLE IN SIREGAR CASE. JUXTAPOSITION OF ARTICLES ON
SIREGAR TRIAL AND TASRIF APPOINTMENT ON FRONT PAGE OF
NOV 5 EDITION OF ARMED-FORCES DAILY "ANGKATAN BERSENJATA"
SUGGEST SUBTLE AB EFFORT TO POINT OUT THIS CURIOUS
COINCIDENCE.
NEWSOM

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